REMARKS

In accordance with the foregoing, claim 11 is amended. New claim 23 has been added. Claims 11, 14-15, 17, 20-21, and 23 are pending and under consideration.

Favorable reconsideration of this application, in light of the following discussion and in view of the present amendment, is respectfully requested.

CLAIM REJECTIONS UNDER 35 U.S.C. §103

Claims 11, 14-15, 17, and 20-21 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Application Publication No. 2003/0009659 to DiSanto et al. (hereinafter "DiSanto") in view of the article "*Conversational IP multimedia Security*" by Blom et al. ("Blom").

Independent claim 11 recites:

> a protocol processing unit processing data packets transported on the packet-oriented network using the encrypted transport protocol with keys for the encrypted transport protocol exchanged using a key exchange protocol, converting voice signals, created by the one of the first and second telecommunication terminals at which said security module is connected, into data packets for transport via the encrypted transport protocol and converting data packets, arriving at said security module after transport via the encrypted transport protocol, into voice signals;
>
> a modem connection unit, used when said security module is connected in a connecting line at a second telecommunication terminal, setting up a modem connection between the second telecommunication terminal and at least one of a gateway and another second telecommunication terminal, with the data packets being transported using the encrypted transport protocol, along with messages of the key exchange protocol, via the modem connection, wherein
>
> a point-to-point protocol connection is used over the modem connection in transporting the data packets using the encrypted transport protocol, as well as messages of the key exchange protocol, and
>
> the encrypted transport protocol is Secure Real Time Transport Protocol.

As such, claim 11 provides a protocol processing unit that processes data packets transported on the packet-oriented network using the encrypted transport protocol with keys for the encrypted transport protocol exchanged using a key exchange protocol. Furthermore, claim 11 includes a modem connection unit, used when the security module is connected in a

connecting line at a second telecommunication terminal, that transports the data packets using the encrypted transport protocol, along with messages of the key exchange protocol, via the modem connection. As such, the security module of claim 11 provides for end-to-end encryption between a client in a packet-oriented network and a client in a public switched telephone network (analog or digital) using the key exchange protocol and the encrypted transport protocol (SRTP) because each of the two distinct networks individually use the key exchange protocol and the encrypted transport protocol via the claimed protocol processing unit and modem connection unit, respectively. These features are not taught by either DiSanto or Blom.

Furthermore, the modem of DiSanto does not correspond to the claimed modem connection unit, as indicated by the Examiner. As discussed above, the claimed modem connection unit when the security module is connected in a connecting line at a second PSTN telecommunication terminal for transporting the data packets using the encrypted transport protocol, along with messages of the key exchange protocol, via the modem connection. As such, the claimed modem connection unit provides a transfer of encrypted communications from the packet-oriented network into the PSTN because the packet-oriented network also uses the encrypted transport protocol with keys for the encrypted transport protocol exchanged using the key exchange protocol.

DiSanto merely discloses a security device for secure communication over a plurality of networks (see DiSanto's Abstract). The internal modem 240 in FIG. 2B of DiSanto is used to perform analog to digital conversion when digitized voice data is directed to port 245 (see paragraph [0033] of DiSanto). Thus, the modem 240 is used merely to comply with the technical requirements of a respective network, but does not provide a technical solution enabling encryption of voice data in a heterogeneous network including a packet-oriented network and a PSTN.

Furthermore, claim 11 specifies that "a point-to-point protocol connection is used over the modem connection in transporting the data packets using the encrypted transport protocol, as well as messages of the key exchange protocol." The Examiner alleges that this feature is anticipated by "a procedure for establishing a direct connection between two nodes" disclosed in DiSanto. However, unlike in DiSanto, the modem of the claimed security module enables the data packets from the packet-oriented network to be transported using the encrypted transport protocol, along with messages of the key exchange protocol, via the modem connection. The procedure for establishing a direct connection between two nodes in DiSanto does not anticipate or render obvious this type of connection among terminals of different networks.

In the Response to the Arguments portion of the Office Action on page 7 of the Office Action, the Examiner states:

> The examiner notes that the applicant's arguments appear to equate to an assertion that the terms 'packet-oriented network' and a **'telecommunications network' (as found recited within the claims)** denote separate and mutually distinct types of networks. However, it is respectfully noted that such an allegation is incorrect. Namely, 'telecommunications' is defined as the transmission of information over a distance. Therefore, a **'telecommunication network' (as claimed)** is a network for transmitting information over a distance. A 'packet-oriented network' is clearly a 'telecommunications network'. Thus, it is respectfully noted that the premise of the applicant's argument, essentially that the claims define 'two distinct networks', is unfounded.

Applicant respectfully disagrees with the Examiner's statement and the Examiner's reading of the claimed subject matter with respect to claim 11, for example. As indicated by the bolded portions in the Examiner's statement above, the Examiner has mistakenly indicated that claim 11 recites "a telecommunications network". However, no such recitation was, or currently is, present in claim 11. Prior to the current amendment, claim 11 recited both "a packet-oriented data network" and "a **telephone** network". One or ordinary skill in the art would clearly appreciate the difference between what is considered a packet-oriented data network and what is considered a telephone network. Thus, Applicant's position that two distinct networks have been defined by claim 11 is not unfounded as indicated by the Examiner. However, in order to further clarify the distinction between the claimed packet-oriented data network and telephone network, claim 11 has been amended to recite "a public switched telephone network".

At least for the above reasons, amended claim 11 and pending claims 14-15, 17, and 20-21 depending from claim 11 patentably distinguish over the prior art.

NEW CLAIM

New claim 23 has been added. Claim 23 recites:

> processing data packets transported on the packet-oriented network using the encrypted transport protocol with keys for the encrypted transport protocol exchanged using a key exchange protocol, converting voice signals, created by the one of the first and second telecommunication terminals at which said security module is connected, into data packets for transport via the encrypted transport protocol and converting data packets, arriving at said security module after transport via the encrypted transport protocol, into voice signals;

when said security module is connected in a connecting line at a second telecommunication terminal, setting up a modem connection between the second telecommunication terminal and at least one of the gateway and another second telecommunication terminal, with the data packets being transported using the encrypted transport protocol, along with messages of the key exchange protocol, via the modem connection; and

using a point-to-point protocol connection over the modem connection in transporting the data packets using the encrypted transport protocol, as well as messages of the key exchange protocol, wherein

the encrypted transport protocol is Secure Real Time Transport Protocol.

It is respectfully submitted that the cited prior art does not teach each of the features of claim 23, so that claim 23 is in a condition suitable for allowance.

CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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